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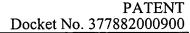
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Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. 09/802,686 **Application Number TRANSMITTAL** March 9, 2001 Filing Date **FORM First Named Inventor Gary VAN NEST Group Art Unit**

(to be used fo	r all correspondence after in	itial filing)	Examiner Name	B. Puri		
Total Number Of Pages In This Submission		73 + 137 REFS	Attorney Docket No.	377882000900	3 9	
		ENCLOS	URES (check all that	apply)	8	
Fee Transr fee process	mittal Form plus 1 copy for sing	Ass	signment Papers r an Application)		After Allowance Communication to Group	
Fee	e Attached	Dra	awing(s)		Appeal Communication to Board of Appeals and Interferences	
Amendmen	nt / Reply	Lic	ensing-related Papers		Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)	
Afte	er Final	Pet	lition		Proprietary Information	
Affi	idavits/declarations		tition to Convert to a ovisional Application		Status Letter	
Extension of	of Time Request		wer of Attorney, Revocation ange of Correspondence Add	ress	Other Enclosure(s) (please identify below):	
		Ter	rminal Disclaimer	1. Fo	orm PTO-1449 plus 6 copies and 6 cover sheets (Total	
Express Abandonment Request		Re	quest for Refund	69 pa 2. Or	Pages) One-hundred thirty-seven (137) References Return Receipt Postcard.	
Information Disclosure Statement (3 pages)		CD	, Number of CD(s)			
Certified Copy of Priority Document(s)		Remarks				
Response to Missing Parts/ Incomplete Application				•		
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SIGNATURE OF APPLICANT, ATTORNEY OR AGENT						
Firm	Morrison & Foerste	er LLP, 755 Pag	e Mill Rd, Palo Alto, CA 94304-1	018		
or Individual Name	Karen R. Zachow,	Reg. No. 46,332	2			
Signature Karen R 7		zerhou	,			
Date December 10, 2001		0				

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Hazel M. Raskowitz

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of:

Gary VAN NEST

Serial No.: 09/802,686

Filing Date: March 9, 2001

For: METHODS OF PREVENTING AND

TREATING RESPIRATORY VIRAL

INFECTION USING

IMMUNOMODULATORY

POLYNUCLEOTIDE SEQUENCES

Examiner: B. Puri

Group Art Unit: 1633



INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97

Assistant Commissioner for Patents Washington, D.C. 20231

Dear Sir:

Pursuant to 37 C.F.R. § 1.97 and § 1.98, Applicant submits for consideration in the above-identified application the documents listed on the attached Form PTO-1449. Copies of the documents are also submitted herewith. The Examiner is requested to make these documents of record.

This Information Disclosure Statement is submitted:

	With the application; accordingly, no fee or separate requirements are required.					
×	Within three months of the application filing date or before mailing of a first Office Action					
	on the merits; accordingly, no fee or separate requirements are required. After receipt of a first Office Action on the merits but before mailing of a final Office					
	Action o	or Notice of Allowance.				
		A fee is required. A check in the amount of * is enclosed.				
		A fee is required. Accordingly, a Fee Transmittal form (PTO/SB/17) is attached				
		to this submission in duplicate.				
		A Certification under 37 C.F.R. § 1.97(e) is provided below; accordingly; no fee				
		is believed to be due.				
	After mailing of a final Office Action or Notice of Allowance, but before payment of the					
	issue fee.					
		A Certification under 37 C.F.R. § 1.97(e) is provided below and a check in the				
		amount of * is enclosed.				
		A Certification under 37 C.F.R. § 1.97(e) is provided below and a Fee Transmittal				
		form (PTO/SB/17) is attached to this submission in duplicate.				

Applicant would appreciate the Examiner initialing and returning the Form PTO-1449, indicating that the information has been considered and made of record herein.

The information contained in this Information Disclosure Statement under 37 C.F.R. § 1.97 is not to be construed as a representation that: (i) a complete search has been made; (ii) additional information material to the examination of this application does not exist; (iii) the information, protocols, results and the like reported by third parties are accurate or enabling; or (iv) the above information constitutes prior art to the subject invention.

In the unlikely event that the transmittal letter is separated from this document and the Patent Office determines that an extension and/or other relief is required, Applicant petitions for any required relief including extensions of time and authorizes the Assistant Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing <u>377882000900</u>. However, the Assistant Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

Dated: December 10, 2001

Respectfully submitted,

By

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